



STATE OF MAINE  
OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0001

Paul R. LePage  
GOVERNOR

27 April 2011

Susan M. Lessard, Chair  
Board of Environmental Protection  
17 State House Station  
Augusta, ME 04333

Dear Chairwoman Lessard:

Please consider this letter an official request for certain disclosures and documentation related to your service on the Board of Environmental Protection. Under 38 M.R.S.A §341-C(8), persons are ineligible to serve on the Board if, in the current year or prior two years, they have received 10% or more of their gross personal income in a calendar year from a holder of a permit issued under the Federal Water Pollution Control Act. If you are over the age of 60, that percentage increases to 50% if the income is received under a pension or similar arrangement. Therefore, I am asking you furnish my office with all information related to your sources of income from January 1, 2009 onward.

Specifically, we will need (1) complete contact information for every job you have held during that period; (2) disclosures of all ownership positions in any partnership, corporation, LLC, etc., whether the organization is public or private, held directly or indirectly (i.e. mutual funds); (3) complete sets of tax returns showing gross personal income; and (4) any other information necessary to make a determination on whether you are eligible to serve as a member of the Board of Environmental Protection.

Permits under the Federal Water Pollution Control Act may be issued for a wide array of projects and this law applies even if a permit is applied for and denied. Further, any position with a company receiving a permit will disqualify you regardless of your involvement or non-involvement with permitting issues. While Federal law allows for flexibility in this matter through recusal and delegation, the Attorney General has recently noted that Maine law is stringent and unyielding.

We understand that this is an imposing request but we need this information immediately in order to ascertain your fitness to remain on the Board. We appreciate your willingness to serve and, if you have any questions, please contact my office.

Sincerely,

Paul R. LePage  
Governor



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